

SENT BY:

3-24-98 11:49AM :FOLEY & LARDNER DC E-

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Docket No. 76333/149

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **RENAL NUCLEAR MATRIX PROTEINS, POLYNUCLEOTIDE SEQUENCES ENCODING THEM, AND THEIR USE** the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefit under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

| NUMBER | COUNTRY | DAY/MONTH/YEAR FILED | PRIORITY CLAIMED |
|--------|---------|----------------------|------------------|
| | | | |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

| APPLICATION NO. | FILING DATE |
|-----------------|---------------|
| 69/041,860 | April 8, 1997 |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(e) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| APPLICATION SERIAL NO. | FILING DATE | STATUS: PATENTED, PENDING, ABANDONED |
|------------------------|-------------|--------------------------------------|
| | | |

I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Stephen A. Berk, Reg. No. 29,768; David A. Rihmenhal, Reg. No. 26,257; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Patricia D. Granados, Reg. No. 33,683; John P. Isaacson, Reg. No. 33,713; Donald D. Jeffery, Reg. No. 19,980; Eugene M. Lee, Reg. No. 32,039; Richard Linn, Reg. No. 25,144; Peter O. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 37,789; Sybil Meloy, Reg. No. 22,749; George B. Quillin, Reg. No. 32,792; Colin G. Sandercock, Reg. No. 31,296; Bernhard D. Saxe, Reg. No. 28,663; Charles F. Schild, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Arthur Schwartz, Reg. No. 22,115; Harold C. Wegner, Reg. No. 25,248; Stephen B. Maebius, Reg. No. 35,264.

Address all correspondence to **FOLEY & LARDNER**, 3000 K Street, N.W., Suite 500, Washington, DC 20007-5109. Address telephone communications to Stephen B. Maebius at (202) 672-5369.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | |
|--|---|-------------------------|
| Full Name of First or Sole Inventor Robert H. Getzenberg | Signature of First or Sole Inventor <i>RH Getzenberg</i> | Date 03/24/98 |
| Residence Address 1627 Augusta Drive, Pittsburgh, Pennsylvania 15237 | Country of Citizenship United States | |
| Post Office Address 1627 Augusta Drive, Pittsburgh, Pennsylvania 15237 | | |

Applicant or Patentee: Robert GETZENBERG
Serial or Patent No.: Unassigned Atty: Dkt. No. 76333/150
Filed or Issued: March 31, 1998
For: RENAL NUCLEAR MATRIX PROTEINS, POLYNUCLEOTIDE SEQUENCES ENCODING THEM, AND THEIR USE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27 (c)) — NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: University of Pittsburgh
ADDRESS OF ORGANIZATION: 911 William Pitt Union, Pittsburgh, PA 15260
TYPE OF ORGANIZATION:
☒ (X) UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ () TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3))
☐ () NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE)
(CITATION OF STATUTE)
☐ () WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ () WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE)
(CITATION OF STATUTE)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code with regard to the invention entitled RENAL NUCLEAR MATRIX PROTEINS, POLYNUCLEOTIDE SEQUENCES ENCODING THEM, AND THEIR USE by inventor(s) Robert GETZENBERG described in

- ☐ () the specification filed herewith
☐ () application serial no. _____, filed March 31, 1998
☐ () patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: _____
ADDRESS: _____
☐ () INDIVIDUAL ☐ () SMALL BUSINESS CONCERN ☐ () NONPROFIT CORPORATION

NAME: _____
ADDRESS: _____
☐ () INDIVIDUAL ☐ () SMALL BUSINESS CONCERN ☐ () NONPROFIT CORPORATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate: (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Sumner J. Connors
TITLE OF PERSON OTHER THAN OWNER: PROCTOR TECHNOLOGY TRANSFER & INTELLECTUAL
ADDRESS OF PERSON SIGNING: 911 WILLIAM PITT UNION, PITTSBURGH, PA 15260
SIGNATURE: Sumner J. Connors DATE: April 30, 1998